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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/742,091	12/22/2000	Kirk Wayne Bauer JR.	8887.002	6999

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EXAMINER

BURGESS, BARBARA N

ART UNIT PAPER NUMBER

2157

DATE MAILED: 07/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/742,091

Applicant(s)

BAUER ET AL.

Examiner

Barbara N. Burgess

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 May 2005.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-20 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 5-5-05.
4) ☒ Interview Summary (PTO-413)
Paper No(s)/Mail Date 7-22-05.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____

DETAILED ACTION

This Office Action is in response to Amendments filed May 5, 2005. Claims 1-20 are presented for further examination.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-20 are rejected under 35 U.S.C. 102 (e) as being anticipated by Anupam et al. (hereinafter "Anupam", US Patent No. 6,070,185).

As per claims 1, 14, Anupam discloses a collaborative browsing system and method for a computer network comprising network servers hosting a plurality of network sites, comprising:

- A main server bi-directionally connected to the computer network, the main server containing a cell manager for grouping locations of the network sites into cells (Figure 1, column 2, lines 25-28, 48-52, column 3, lines 26-30);
- A plurality of client programs bi-directionally connected to the main server via the network and each connected to at least one of the network sites (column 2, lines 44-51);
- Wherein said main server enables a first one of the client programs connected to a

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network site in one of the cells to identify a second one of the client programs and to form a session with that second client program that collaboratively browses the network sites (column 3, lines 115-20, column 4, lines 1-6, column 6, lines 57-62);

- Wherein the main server stores a location of the network site to which the session is connected (column 2, lines 57-60, column 3, lines 48-51).

As per claim 2, Anupam discloses a collaborative browsing system according to claim 1, wherein the main server enables a client program connected to a network site in one of the cells to identify at least two additional client programs among the plurality of client programs and to form the session with said additional client programs (column 3, lines 115-20, column 4, lines 1-6, column 6, lines 57-62).

As per claim 3, Anupam discloses a collaborative browsing system according to claim 1, wherein the client programs in the session follow a session leader (column 4, lines 20-30).

As per claim 4, Anupam discloses a collaborative browsing system according to claim 1, wherein each client program in the session can communicate with other client programs in the session (column 3, lines 115-20, column 4, lines 1-6, column 6, lines 57-62).

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As per claims 5-6, Anupam further discloses a collaborative browsing system according to claim 3, wherein each client program in the session can communicate with other client programs in other sessions in the one cell (column 3, lines 115-20, column 4, lines 1-6, column 6, lines 57-62).

As per claim 7, Anupam discloses a collaborative browsing system according to claim 1, wherein the main server sends advertisements to at least one client program (column 2, lines 55-57, column 3, lines 11-15).

As per claims 8-9, 16, Anupam discloses a collaborative browsing system according to claims 3 and 14, wherein any client program in the session can act as a session leader (column 4, lines 20-30).

As per claim 10, Anupam discloses a collaborative browsing system according to claim 1, wherein the computer network is the Internet (column 2, lines 25-45).

As per claim 11, Anupam discloses a collaborative browsing system according to claim 10, wherein the network sites are Web sites (column 2, lines 45-60).

As per claim 12, Anupam discloses a collaborative browsing system according to claim 11, wherein the locations are each identified by a Universal Resource Locator code (column 2, lines 44-46, column 6, lines 57-63).

As per claim 13, Anupam discloses a collaborative browsing system according to claim 12, wherein the one cell is comprised of a plurality of locations each having a corresponding Universal Resource Locator code (column 2, lines 44-46, column 6, lines 57-63).

As per claim 15, Anupam discloses the method according to claim 14, wherein the first network site is the second network site (column 2, lines 45-60).

As per claim 17, the method according to claim 14, further comprising:

- Assigning a plurality of network site locations to a cell (Figure 1, column 2, lines 25-28, 48-52, column 3, lines 26-30);
- Tracking the first session and a plurality of other sessions in the cell (column 2, lines 57-60, column 3, lines 48-51);
- Informing client programs in the first session of other client programs in the other sessions in the cell (column 3, lines 115-20, column 4, lines 1-6).

As per claim 18, Anupam discloses the method according to claim 14, further including causing the client programs in the first session to follow the first session when the first session changes a network site to which it is connected (column 3, lines 115-20, column 4, lines 1-6, column 6, lines 57-62).

As per claim 19, Anupam discloses a method of collaboratively browsing a network according to claim 14, wherein one of the client programs communicates with another client program in the first session (column 3, lines 115-20, column 4, lines 1-6, column 6, lines 57-62).

As per claim 20, Anupam discloses a method of collaboratively browsing a network according to claim 14, wherein one of the individual client programs in the first session communicates with a client program in one of the other sessions in the cell (column 3, lines 115-20, column 4, lines 1-6, column 6, lines 57-62).

Response to Arguments

The Office notes the following arguments:

- (a) The Applicants assert that Anupam nowhere discloses a server grouping network locations into server-defined cells as in independent claims 1 and 14 of the application.
- (b) Language and figure cited by Examiner does not disclose a cell manager grouping locations of network sites into cells as claimed in the application.
- (c) Applicants assert that Anupam does not disclose cells, server-defined cells, or client programs that collaboratively browse network sites within in a cell.

3. Applicant's arguments filed have been fully considered but they are not persuasive.

In response to:

(a) In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the feature upon which applicant relies (i.e., server grouping network locations into "server-defined" cells) is not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

(b) As disclosed in the specification, "a cell may be a Web site or a group of Web sites, " (Specification, page 10, lines 3-4). Anupam teaches a manager for helping a user establish a collaborative browsing session. The manager starts a new session for a user. As URL's are browsed by the user, it's recorded by the manager and conveyed to the other collaborators in the same session (column 2, lines 44-53, column 3, lines 3-11, 34-40). As well, another user may want to join in on an on-going session. The manager identifies the session and the user is able to visit the sequence of URL's that the session has gone through to review its history. The URLs have been recorded and are updated as the session progresses (column 3, lines 58-65, column 4, lines 6-15). Therefore, Anupam explicitly discloses a cell manager grouping locations of network sites into cells.

(c) Anupam plainly discloses cells and client programs that collaboratively browse network sites within in a cell. As stated above, a user may join an on-going browsing session with other collaborators. The user is able to view all sites in the session (column 3, lines 58-65, column 4, lines 6-15).

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Barbara N. Burgess whose telephone number is (571) 272-3996. The examiner can normally be reached on M-F (8:00am-4:00pm).

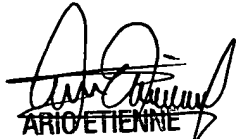
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Barbara N Burgess
Examiner
Art Unit 2157

July 22, 2005


ARIO ETIENNE
SUPERVISORY PATENT EXAMINER
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